

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
STEPHEN BAIN,

Plaintiff,
-against-

THE CITY OF NEW YORK, THE NEW
YORK CITY POLICE DEPARTMENT,
METROPOLITAN TRANSPORTATION
AUTHORITY, METROPOLITAN
TRANSPORTATION POLICE DEPARTMENT,
LONG ISLAND RAILROAD d/b/a
MTA LONG ISLAND RAILROAD,
LONG ISLAND RAILROAD POLICE
DEPARTMENT, PO ROBERT
ARONSON - shield 02300, PO DANIEL
MCDADE - shield 2020, and "JOHN DOES"
(names not know and fictitious)- POLICE
OFFICER,

Defendants.

**RESPONSE TO
INTERROGATORIES OF
THE CITY OF NEW YORK
AND THE NEW YORK
CITY POLICE
DEPARTMENT BY MTA
CO-DEFENDANTS**

07cv8021 (VM)

-----X

Defendants, METROPOLITAN TRANSPORTATION AUTHORITY,
METROPOLITAN TRANSPORTATION AUTHORITY POLICE DEPARTMENT,
LONG ISLAND RAILROAD d/b/a MTA LONG ISLAND RAILROAD, LONG ISLAND
RAILROAD POLICE DEPARTMENT, PO ROBERT ARONSON - shield 02300, PO
DANIEL MCDADE - shield 2020, and "JOHN DOES" (names not known and fictitious) -
Police Officers by their attorneys LEWIS JOHS AVALONE AVILES, LLP., as and for
their responses to the Interrogatories served by co-defendants City of New York and the
New York City Police Department dated February 15, 2008.

1. MTA Police Officer Daniel McDade, One Penn Station, New York, New
York 10001 212.643.5075. MTA Police Officer Robert A. Aronson, One Penn Station,

New York, New York 10001 212.643.5075. MTA Police Officer Interdonagi, One Penn Station, New York, New York 10001, 212.643.5075. MTA Police Officer Tully, One Penn Station, New York, New York 10001, 212.643.5075. MTA Police Officer Smith, One Penn Station, New York, New York 10001, 212.643.5075. MTA Police Officer Prego, One Penn Station, New York 10001, 212.643.5075. MTA Sargent Dittrich, One Penn Station, New York, New York 10001, 212.643.5075. MTA Police Sargent Smith, One Penn Station, New York, New York 10001, 212.643.5075. MTA Lieutenant Metter, One Penn Station, New York, New York 10001, 212.643.5075. New York City EMT Wallace EMS/Fire Id Number 6943. EMS Personnel Ramos. New York City Police Department Sargent Glaudino, Shield No.: 744, New York City Police Department. New York City Police Officer Perez, Shield No.: 20660. New York City Police Department. New York City Police Officer Wendler, Shield No.: 2802, New York City Police Department. MTA Patrol Lieutenant Riker, 345 Madison Avenue, New York, New York 212.878.1000.

2. MTA Police Officer McDade was the report officer, MTA Police Aronson was the arresting officer, MTA Police Officers Interdonagi, Tully, Smith and Prego were assisting officers, MTA Police Sargents Dittrich, Smith and Lieutenant Metter were patrol supervisors. New York City EMTs Wallace and Ramos attended to the injured aided and MTA Police Officers, NYPD Sargent Glaudino and Police Officer Perez were providing services as emergency service unit personnel.

3. Respondents cannot identify any statements, signed or unsigned, recorded on tape electronically made by the City of New York or its employees.

4. Respondents have not as yet retained any experts to testify at the trial of this matter.

5. The documents annexed to the initial discovery response of the respondents via January 31, 2008 comprise all documents currently in the possession of the MTA co-defendants relating to this incident.

6. Respondents have not identified any Freedom of Information Law request and/or responses concerning plaintiff's claims in this litigation.

Dated: Riverhead, New York
March 25, 2008

Yours, etc.

LEWIS JOHS AVALLONE AVILES, LLP
Attorneys for Defendants
METROPOLITAN TRANSPORTATION
AUTHORITY, METROPOLITAN
TRANSPORTATION AUTHORITY POLICE
DEPARTMENT, LONG ISLAND RAILROAD d/b/a
MTA LONG ISLAND RAILROAD, LONG ISLAND
RAILROAD POLICE DEPARTMENT, PO
ROBERT ARONSON - shield 02300, PO DANIEL
MCDADE - shield 2020, and "JOHN DOES" (names
not known and fictitious) -
21 East Second Street
Riverhead, New York 11901
631.369.7600

By: 

Edward G. Lukoski (EL 7845)

TO:

JOSEPH T. MULLEN, JR. & ASSOCIATES
Attorneys for Plaintiff
30 Vesey Street, 15th Floor
New York, New York 10007
212.766.1177

Office of the Corporation Counsel of the City of New York
Law Department
100 Church Street, Room 3-199
New York, New York 10007
Att: Caroline L. Chen, Esq.

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)


VERONICA C. McKENNA, being duly sworn, deposes and says:

That deponent is not a party to this action, is over 18 years of age and resides in Manorville, New York.


That on the 27th day of March, 2008, deponent served the within **RESPONSE TO INTERROGATORIES OF THE CITY OF NEW YORK AND THE NEW YORK CITY POLICE DEPARTMENT BY MTA CO-DEFENDANTS** upon the attorneys below set forth representing the parties, as indicated, at the addresses shown, said addresses being designated by said attorneys for that purpose, by depositing a true copy of same, enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

JOSEPH T. MULLEN, JR. & ASSOCIATES
30 Vesey Street, 15th Floor
New York, New York 10007
212.766.1177

Office of the Corporation Counsel of the City of New York
Law Department
100 Church Street, Room 3-199
New York, New York 10007
Att: Caroline L. Chen, Esq.


VERONICA C. McKENNA

Sworn to before me this
27th day of March, 2008.


Lois A. Skula
Notary Public, State of New York
Registration No.: 4966255
Qualified in Suffolk County
Commission Expires :May 1, 2010

LEWIS JOHS
Lewis Joys Avalone Aviles, LLP
SHOF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Year 20

STEPHEN BAIN,

Plaintiff,

- against -

THE CITY OF NEW YORK, THE NEW YORK CITY POLICE DEPARTMENT, METROPOLITAN
TRANSPORTATION AUTHORITY, METROPOLITAN TRANSPORTATION POLICE
DEPARTMENT, LONG ISLAND RAILROAD d/b/a MTA LONG ISLAND RAILROAD, LONG
ISLAND RAILROAD POLICE DEPARTMENT, PO ROBERT ARONSON - shield 02300, PO DANIEL
MCDADE - shield 2020, and "JOHN DOES" (names not known and fictitious)- POLICE OFFICERS,

Defendant.

***RESPONSE TO INTERROGATORIES OF THE CITY OF NEW YORK AND THE
CITY POLICE DEPARTMENT BY MTA CO-DEFENDANTS***

LEWIS JOHS

Lewis Joys Avalone Aviles, LLP

Counsellors at Law

Attorneys for

Office and Post Office Address
21 East Second Street • Riverhead, NY 11901
631.369.7600 • Fax 631.369.7680
FILE #:

CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. § 130-1.1a

The undersigned hereby certifies that, pursuant to 22 N.Y.C.R.R. § 130-1.1a, the contentions contained in the annexed document(s) is not frivolous nor frivolously presented

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Sir: Please take notice

☐ **NOTICE OF ENTRY**

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on

20

☐ **NOTICE OF SETTLEMENT**

that an order

of which the within is a true copy will be presented for
one of the judges

settlement to the HON.

of the within named court, at

on

20

at

M.

Dated,

Yours, etc.

LEWIS JOHS